



10/753,665

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dennis A. Carson et al.

Examiner: Frederick F. Krass

Serial No.: 10/753,665

Group Art Unit: 1614

Filed: January 8, 2004

Docket: 103.014US3

Title: USE OF ETODOLAC FOR THE TREATMENT OF CHRONIC  
LYMPHOCYTIC LEUKEMIA

TERMINAL DISCLAIMER

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Monique M. Perdok Shonka, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on January 8, 2004. I am making this petition on behalf of The Regents of The University of California, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, The Regents of The University of California, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/753,665), to U.S. Patent No. 6,545,034, and to U.S. Serial No. 09/634,207. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed in U.S. Patent No. 6,545,034 and in U.S. Serial No. 09/634,207. The assignment for U.S. Patent No. 6,545,034 was recorded on October 18, 1999, on Reel 010308, Frames 0786-0792, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/753,665) is a continuation of U.S. Serial No. 10/236,221, which is a continuation of U.S. Patent No. 6,545,034. The assignment for U.S. Serial No. 09/634,207 was recorded on December 18, 2000, on Reel 011353, Frames 0674-0677, with the United States Patent and Trademark Office.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, The Regents of The University of California, seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,545,034, or of any patent which may issue from U.S. Serial No. 09/634,207. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6,545,034 or any patent which may issue from U.S. Serial No. 09/634,207 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,545,034 or of any patent which may be granted on U.S. Serial No. 09/634,207 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), is reissued, has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove. Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application if no patent issues from U.S. Serial No. 09/634,207.

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Fee Status

A check in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, is enclosed herewith. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DENNIS A. CARSON ET AL.

By their Representatives,

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Date Feb. 9, 2006

By Monique M. Perdok Shonka  
Monique M. Perdok Shonka  
Reg. No. 42,989

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9 day of February, 2006.

JONATHAN FERGUSON  
Name

Jonathan Ferguson  
Signature